

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**BLAINE HOBGOOD**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 1:11-cv-00252-LG-RHW**

**OFFICERS TROY BORDELON, CLAY NECAISE,  
JOSH POYADOU, ZENAS CAPPIE AND  
PATRICK BARBER, INDIVIDUALLY AND IN THEIR  
OFFICIAL CAPACITY AS DULY COMMISSIONED  
POLICE OFFICERS FOR THE CITY OF WAVELAND,  
MS; POLICE CHIEF JAMES A. VARNELL,  
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY  
AS A DULY COMMISSIONED POLICE OFFICER FOR  
THE CITY OF WAVELAND, MS; DAVID GARCIA,  
INDIVIDUALLY AND IN HIS OFFICIAL CAPACITY  
AS MAYOR OF THE CITY OF WAVELAND, MS;  
THE CITY OF WAVELAND, MS; AND UNKNOWN  
JOHN AND JANE DOES A-Z**

**DEFENDANTS**

**STIPULATION OF DISMISSAL**

IT IS HEREBY STIPULATED, pursuant to Rule 41(a)(1)(ii), that the above-entitled action, Civil Action No. 1:11cv00252(LG)(RHW), may be dismissed with prejudice, pursuant to the terms of a Release of Claims and Settlement Agreement entered into between the Parties, which Agreement includes full provisions for any and all claims of attorneys' fees and costs arising in this action. The Parties further agree that based on the foregoing Stipulation, the Court may enter an Order dismissing this cause with prejudice.

Respectfully submitted,

/s/ Robert W. Moak

ROBERT W. MOAK

Attorney for Plaintiff

/s/ Gary E. Friedman

GARY E. FRIEDMAN

W. BRETT HARVEY

Attorneys for Defendants

**CERTIFICATE OF SERVICE**

I, GARY E. FRIEDMAN, do hereby certify that on October 21, 2013 I electronically filed the above and foregoing *STIPULATION OF DISMISSAL* with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following counsel of record:

Bobby W. Moak  
LAW OFFICE OF BOBBY MOAK, PC  
402 Monticello Street  
P.O. Box 242  
Bogue Chitto, MS 39629  
(601) 734-2566  
bmoak@locnet.net

***ATTORNEY FOR PLAINTIFF***

SO CERTIFIED, this the 21<sup>st</sup> day of October, 2013.

/s/ Gary E. Friedman

GARY E. FRIEDMAN